

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE AT MEMPHIS

JOHN DOE,

Plaintiff,

v.

Docket No. 2:19-cv-02336-JTF

RHODES COLLEGE.

Defendant.

PLAINTIFF'S UNOPPOSED MOTION TO FILE AFFIDAVIT UNDER SEAL

Plaintiff John Doe (hereinafter "Plaintiff"), by and through the undersigned counsel, seeks leave to file his oath page to his verified complaint (ECF 3) and his affidavit in support of his application for a preliminary injunction (ECF 19) under seal. Plaintiff, by this Court's order and consent of the parties, is proceeding under a pseudonym.¹ His affidavit and verification page must be submitted under oath and therefore must be submitted under seal to avoid the revelation of his identity. Further, as an exhibit to his affidavit, Plaintiff has filed a copy of the confidential, Title IX investigative report, which would reveal the identities and confidential information of numerous third-parties as well as information protected by Title IX and FERPA. Defendant does not oppose this motion. A proposed order is being submitted contemporaneously herewith, and a copy of the affidavit and oath page have been served upon opposing counsel by mail and e-mail.

Wherefore, Plaintiff requests that she be granted leave to file his affidavit and verification page under seal.

¹ Defendant has reserved its right to oppose this at a later date but has no opposition at this juncture.

Respectfully submitted,

/s/Brice M. Timmons

Brice M. Timmons (#29582)
Megan E. Arthur (#25243)
Black McLaren Jones Ryland
& Griffie PC
530 Oak Court Drive, Suite 360
Memphis, TN 38117
(901) 762-0535 (Office)
(901) 762-0539 (Fax)
marthur@blackmclaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading was filed electronically. Notice of this filing will be sent by operation of the Court's ECF system this 5th day of June, 2019.

Woods Drinkwater
Nelson Mullins Riley
& Scarborough, LLP
150 Fourth Avenue, North, Ste. 1100
Nashville, Tennessee 37219
Woods.drinkwater@nelsonmullins.com

James A. Haltom
Nelson Mullins Riley
& Scarborough, LLP
150 Fourth Avenue, North, Ste. 1100
Nashville, Tennessee 37219
James.haltom@nelsonmullins.com

/s/Brice M. Timmons

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of April, 2019, a true and correct copy of the foregoing has been served via the Court's electronic filing system upon the following:

David M. Rudolph
Assistant Attorney General
40 South Main Street, Suite 1014
Memphis, Tennessee 38103

Robert W. Wilson
Assistant Attorney General
40 South Main Street, Suite 1014
Memphis, Tennessee 38103

Matthew D. Janssen
Attorney General of the State of Tennessee
425 Fifth Avenue North, 2nd Floor
Nashville, Tennessee 37243

/s/ Brice Moffatt Timmons